

Permitting & Assistance Branch Staff Report
New Solid Waste Facilities Permit for the
Universal Waste Systems 24th Street Transfer Station
SWIS No. 19-AR-1251
August 31, 2017

Background Information, Analysis, and Findings:

This report was developed in response to the City of Los Angeles Department of Building and Safety, Local Enforcement Agency's (LEA), request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed new Solid Waste Facilities Permit (SWFP) for the Universal Waste Systems 24th Street Transfer Station, SWIS No. 19-AR-1251, located in the City of Los Angeles and owned by 24th Street Property, LLC and operated by Universal Waste Systems, Inc. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on July 7, 2017. A new proposed permit was received on July 21, 2017. Action must be taken on this permit no later than September 19, 2017. If no action is taken by September 19, 2017, the Department will be deemed to have concurred with the issuance of the proposed new SWFP.

Proposed Permit:

The following are the key design parameters of the proposed project:

	Proposed Permit
Operator	Universal Waste Systems, Inc.
Owner	24 th Street Property, LLC
Facility Type	Transfer/Processing Facility (MRF)
Proposed Hours of Operation	Material Acceptance: 24 hours per day, 7 days per week Material Processing/Refuse Transfer: 24 hours per day, 7 days per week
Proposed Tons per Operating Day	1,000* Tons/Day *Please see conditions 17 g and 17 h for restrictions on maximum daily tonnage.
Proposed Traffic Volume	Regulated pursuant to 14 CCR 17418.3
Proposed Area (acres)	1.3 acres
Design Capacity	1,500 tons per day (tpd)
Waste Types	Municipal Solid Waste, Organics, and Recyclables

Background:

The project site is currently used for the operation of a 150 tpd Direct Transfer Facility (19-AR-1251) and a 15 tpd Limited Volume Transfer Operation (19-AR-1253), parking company refuse collection vehicles, compressed natural gas refueling of those vehicles, vehicle maintenance, and offices. The proposed new SWFP will allow for the following:

1. Combine and up-tier of the current Registration Permit (19-AR-1251) and EA Notification (19-AR-1253) into a new Full SWFP to operate a Large Volume Transfer/Processing Facility;
2. Change in name and mailing address of Owner from John Pabigian to 24th Street Property, LLC;
3. Construction of a new one story, 50-foot tall, 30,000 square foot solid waste transfer station building that will include food waste processing equipment, an at-grade load-out area, push walls, a tipping area that can accommodate multiple collection vehicles, a hazmat locker, and separate ingress/egress points for collection and transfer trucks; a 45-foot long automated truck scale and radiation detector will also be included on Parcel 1. Parcel 2 is approximately 11,600 square feet in area and will be developed with offices; a break room, restrooms, and parking are also proposed.
4. Increase in the maximum daily tonnage from the combined 165 tons per day (150 tpd at Facility No. 19-AR-1251 and 15 tpd at Facility No. 19-AR-1253) to 1,000 tpd;
5. Increase design capacity from the combined 165 tpd to 1,500 tpd;
6. Increase hours of operation from Monday through Sunday 4:00 a.m. to 10:00 p.m. to Monday through Sunday 24 hours/day; and
7. Operate on 1.3 acres.

Findings:

Staff recommends concurrence in the issuance of the proposed new SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated July 6, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(2) LEA Five Year Permit Review	This is a proposed new facility so a Permit Review Report is not required.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on July 21, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on July 7, 2017, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Nondisposal Facility Element, as described in their memorandum dated August 11, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	This is a proposed new facility and Permitting and Assistance Branch staff has determined that the design and operation as described in the submitted Transfer Processing Report (TPR) will allow the proposed facility to comply with State Minimum Standards. See Compliance History below for additional details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on July 7, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on June 14, 2017. LEA staff addressed oral and written comments. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

Permitting and Assistance Branch (PAB) staff conducted a pre-permit inspection on August 30, 2017, and found the direct transfer facility (No. 19-AR-1251) and the limited volume transfer operation (No. 19-AR-1253) in compliance with applicable state minimum standards.

Since 2012, no violations were noted based on the LEA's inspection reports of both the direct transfer facility and the limited volume transfer operation during the last five years.

Additionally, PAB staff determined that the design and operations as described in the submitted Transfer Processing Report, dated March 2017, would allow the proposed facility to comply with State Minimum Standards.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of Los Angeles, Local Enforcement Agency, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The proposed new permit will allow for the following:

- Combine and up-tier of the current Registration Permit (19-AR-1251) and EA Notification (19-AR-1253) into a new Full SWFP to operate a Large Volume Transfer/Processing Facility;
- Construction of a new 30,000 square foot transfer station building;
- Increase in the maximum daily tonnage from the combined 165 tons per day (150 tpd at Facility No. 19-AR-1251 and 15 tpd at Facility No. 19-AR-1253) to 1,000 tpd;
- Increase design capacity from the combined 165 tpd to 1,500 tpd;
- Increase hours of operation from Monday through Sunday 4:00 a.m. to 10:00 p.m. to Monday through Sunday 24 hours/day; and
- Operate on 1.3 acres.

These activities are supported by the following environmental document:

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2016081074, was circulated for a 30-day comment period from August 31, 2016 to September 29, 2016. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation, Monitoring and Reporting Program. The MND, together with the Mitigation Monitoring and Reporting Program, was approved by the Lead Agency and a Notice of Determination (NOD) was filed with the Los Angeles County Clerk on February 15, 2017. Additionally, a NOD was filed with the State Clearinghouse on February 15, 2017.

The City of Los Angeles LEA has provided a finding that the proposed new SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed new SWFP. Department staff has reviewed and considered the CEQA record and recommends the MND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed new SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed new SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on June 14, 2017, at Universal Waste Systems, in the City of Los Angeles. Eighteen members of the public attended the meeting; oral and written comments received from the public with responses from the LEA and operator are summarized below.

Public Meeting Oral Comments

Issue: Residents expressed concern over truck traffic on Santa Fe Avenue and in the community.

Response: Off-site traffic is not within the scope of the LEA. However, the operator stated they would route their collection trucks to utilize other streets in the industrial zone to avoid the use of Santa Fe Avenue.

Issue: Residents expressed concern over odors from the proposed food waste processing at the facility.

Response: The food waste, along with all other solid waste, will be removed within 48 hours of receipt at the facility. The large volume transfer station activities are required to be conducted inside the transfer station building. Additionally, the LEA stated that permit conditions 17 (m) and (s) address this concern.

Issue: Residents expressed concern about dust generated by trucks migrating into the community.

Response: The LEA only has jurisdiction over the dust at the facility and will require all large volume transfer station activities be conducted within the enclosed transfer building. The building will be equipped with a misting system and fast-acting doors.

Additionally, the LEA stated dust at the facility is addressed in permit conditions 17 (n), (s) and (v).

Issue: Residents expressed concern that the deodorizer used in the misting system would be toxic.

Response: LEA stated the emissions are outside the scope of the LEA; and it would be under the authority of local air quality district for the community and Cal/OSHA for employee health and safety.

The operator stated that the deodorizer is not toxic and that the materials safety data sheet on the substance is available for them to review.

Written Comments Received by the LEA

The LEA received one written comment through email that expressed concern about the impacts to the residents' quality of life and health, an increase in traffic and road damage, and odor impacts to schools in the area.

The LEA studied the issues that were raised in the public meeting and in the written comment and have added restrictive conditions (i.e., m, n, s, and v) to the proposed permit within the LEAs authority to address some of the concerns.

No written comments were received by Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on July 18, 2017 and August 15, 2017. No comments have been received by Department staff.